



Attorney Docket No.: 538.02

03 - 01 - 04

DAC  
PATENT #5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of

MAR 08 2004

Group Art Unit:

LEWIS, Thomas B. **OFFICE OF PETITIONS**

Examiner: Not Yet Assigned

Application No.: 10/092,667

Filing Date: March 6, 2002

For: VIDEO CONFERENCING DEVICE  
AND METHOD

**PETITION TO REVIVE  
ABANDONED APPLICATION  
UNDER 37 C.F.R. 1.137(b)**

**CERTIFICATE OF MAILING**

I hereby certify that the correspondence enclosed herein is being deposited as first class mail with the United States Postal Service on this date 2/26/04, in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231.

By:

*Teri L. Nelmark*  
Teri L. Nelmark

Asst. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Applicant, through the undersigned, hereby petitions for the revival of the above-referenced application which was unintentionally abandoned for failure to respond to a notice to correct application papers. The subject notice is appended to this petition.

On January 20, 2004, applicant's representative received a notice of abandonment under 37 C.F.R. 1.53(f) or (g) dated January 12, 2004. The subject notice dealt with informal drawings having improper margins as filed with the application. Corrected drawings which applicant believes now conform with 37 C.F.R. 1.84 are appended to complete the subject response.

Applicant further notes that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. 1.137(b) was unintentional. Applicant's counsel failed to properly docket the notice to file corrected application papers and was not informed of the abandonment of the subject application until the notice of abandonment was received on January 20, 2004.

To complete this response, the petition fee as set forth in 37 C.F.R. 1.17(m) in the amount of \$665.00 is enclosed. Any deficiency in this payment may be charged to deposit account no. 04-0822.

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665.00 CP

For the reasons advanced above, it is respectfully asserted that the present petition be granted and that the subject application be examined in due course on its merits.

Respectfully submitted,

DERGOSITS & NOAH LLP

By   
Michael E. Dergosits

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